

Serial No. 10/776,366
Reply to Office Action of May 18, 2005

REMARKS/ARGUMENTS

Claims 1-25 are pending in this application. Claims 1, 21, and 23 are amended. Claims 20 and 25 are cancelled.

Claim 5 stands rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. The rejection under 35 USC 112, second paragraph, is respectfully traversed.

Applicants deem that there is no actual conflict between claim 2 and claim 5. Claim 2 restricts the direction of the changes in delay to increasing delays independent of the direction indicated by the phase detector based on the phase of the signals. Claim 5 refers to the magnitude to the changes being dependent on the phase, i.e., the magnitude of the changes in delay decrease as the signals get closer to being in phase.

As there is no actual conflict between the subject matter of claim 2 and claim 5, Applicants deem that claim 5 is allowable under 35 USC 112, second paragraph.

Claims 1-7 and 25 stand rejected under 35 USC 102(e) as being anticipated by Fiscus (US Patent No. 6,628,154). Claims 8-23 stand objected to, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Claim 24 is allowed.

In response thereto, claim 1 has been amended to include all of the limitations of claim 20. Claim 20, which depended directly from claim 1, has been cancelled. Claim 23 has been amended to more appropriately depend from claim 1. Claim 25 has been cancelled.

Claims 1-7, as amended, are therefore all deemed to be allowable. Claim 1 is allowable as being objected to claim (20) rewritten in independent form, and claims 2-7 are deemed to be allowable as being dependent upon allowable base claim 1.

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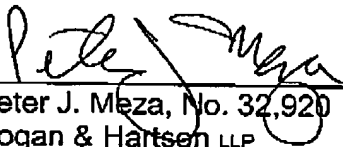
Claims 8-23 all depend either directly or indirectly from amended claim 1 and are therefore deemed to be allowable.

In view of all of the above, claims 1-19 and 21-24 are now allowed or believed to be allowable and the case in condition for allowance which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

8/4, 2005


Peter J. Meza, No. 32,920
Hogan & Hartson LLP
One Tabor Center
1200 17th Street, Suite 1500
Denver, Colorado 80202
(719) 448-5906 Tel
(303) 899-7333 Fax